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**CITY OF DUVALL**  
**WASHINGTON**  
**ORDINANCE NO. 1300**

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**AN ORDINANCE OF THE CITY OF DUVALL, WASHINGTON,  
AMENDING SECTION 4.12.010 OF THE DUVALL MUNICIPAL  
CODE ENTITLED “HOLIDAYS” TO ESTABLISH JUNETEENTH  
AS A LEGAL HOLIDAY FOR THE CITY; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Washington State Legislature passed House Bill 1016, establishing the nineteenth day of June, recognized as Juneteenth, as a state legal holiday in remembrance of the day that news of the Emancipation Proclamation and the end of the Civil War reached Galveston, Texas, and all enslaved persons were released from bondage; and

WHEREAS, the State Legislature intended that Juneteenth be a day to engage in fellowship with Black/African Americans; to revisit our solidarity and commitment to antiracism; to educate ourselves about our history and the history of and impacts to people who were enslaved; and continue having conversations that uplift every Washingtonian; and

WHEREAS, in order to appropriately recognize this day, the City Council desires to amend provisions of the Duvall Municipal Code to establish Juneteenth as a legal holiday for the City;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUVALL,  
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Amended. Section 4.12.010 of the Duvall Municipal Code entitled “Holidays” is hereby amended to read as follows:

**4.12.010 Holidays.**

Legal holidays to be observed by the City are:

1. New Year's Day.
2. Martin Luther King Day.
3. Presidents' Day.
4. Memorial Day.
5. Juneteenth
- ~~5.6.~~ Independence Day.

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~~6.7.~~ Labor Day.

~~7.8.~~ Veterans' Day—November 11.

~~8.9.~~ Thanksgiving Day.

~~9.10.~~ Day after Thanksgiving.

~~10.11.~~ Christmas Day.

~~11.12~~ Floating Holiday (2).

A. Except as set forth in sections B—G below, full-time regular employees of the city will have time off and receive eight hours of pay, at their regular rate of pay, for each of the holidays listed above. If an employee works a flexible schedule and the holiday falls on a day when the employee normally would have been scheduled to work more than eight hours, they may use any accrued vacation or compensatory time to supplement their holiday hours so that the holiday hours and accrued leave total their regularly scheduled hours for that day. If an employee is normally scheduled to work less than eight hours on the holiday, the employee can "bank" the difference in hours to use on another day. For example, if an employee works four ten-hour shifts Monday—Thursday, and the holiday falls on a Monday, that employee could use two hours of vacation, plus eight hours of holiday pay to equal their regular ten-hour shift. If an employee worked four nine-hour shifts Monday—Thursday and one four-hour shift on Friday, and the holiday fell on a Friday, the employee would receive four hours of holiday pay to cover their regular shift, and four hours of "banked" holiday pay to use another day.

B. Unused banked holiday hours may be carried over from year to year. Upon termination of employment, employees will be paid for all unused banked holiday hours. Floating holidays must be taken during the calendar year and may not be carried over to the next year. Unused floating holiday balances are not payable to the employee.

C. If any such holiday falls on a Saturday, it shall be observed on the preceding Friday. If any such holiday falls on a Sunday, it shall be observed on the following Monday.

D. If any of the above holidays are specified state legal holiday and are also federal legal holidays but observed on different dates, only the state legal holidays shall be recognized as paid legal holidays.

E. Holidays which occur during vacation or sick leave shall not be charged against such vacation or sick leave.

F. Employees who are classified as FLSA-nonexempt and any FLSA-exempt employees below the level of director who are, required to work on a holiday that falls on a regularly scheduled workday shall be paid an additional hour's pay for each hour worked on that holiday. For example, if such an employee works four hours on a holiday, they would receive eight hours of holiday pay, plus four hours of regular pay.

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G. When a holiday falls on a full-time employee's regularly scheduled day off work, and the employee is not required to work on the holiday, the employee shall receive eight hours of "banked holiday" to be used at a time mutually acceptable to the employee and their supervisor. Part-time employees shall receive a prorated share of a holiday.

H. Part-time employees, working regularly at least twenty (20) hours per week, shall earn a percentage of the above-referenced holiday benefits in relationship to the number of hours they regularly work in a normal work week as compared to the number of hours required for full-time status in their particular department. Part-time employees working regularly less than twenty (20) hours per week shall not be entitled to holiday pay unless they are required to work on a holiday, in which event section 4.12.010.F shall apply.


I. Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the office of financial management. If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor a minimum of two weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by rule of the office of financial management. The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THIS  
17<sup>th</sup> DAY OF MAY 2022.

CITY OF DUVALL

  
Amy Ockerlander (May 20, 2022 14:01 PDT)  
Amy Ockerlander, Mayor

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APPROVED AS TO FORM

*Daniel Kenny*

Daniel Kenny (May 18, 2022 16:06 PDT)

Daniel P. Kenny, City Attorney

ATTEST/AUTHENTICATED

*Sara McMillon*

Sara McMillon, City Clerk

Date of Publication: 5/23/2022

Effective Date: 5/28/2022









# Ord 1300 Juneteenth Holiday

Final Audit Report

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